

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CHARLES C. BATES,)
Plaintiff,)
v.) Case No. 2:04cv008
JO ANNE B. BARNHART, Commissioner of) Judge Thomas A. Wiseman, Jr.
Social Security,)
Defendant.)

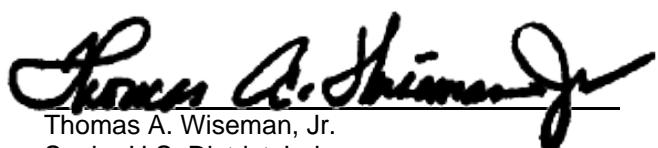
ORDER

Before the Court is Plaintiff Charles C. Bates' motion for judgment on the administrative record (Doc. No. 9) seeking reversal of the Commissioner's decision denying benefits. The Commissioner of Social Security ("Commissioner") has filed a response opposing Plaintiff's motion (Doc. No. 11), and the motion is ripe for consideration.

Upon review of the Administrative Record as a whole and for the reasons explained in the accompanying Memorandum Opinion, the Court finds that the Commissioner's decision is not supported by substantial evidence and that the evidence in the record is sufficient for a finding of disability. Accordingly, Plaintiff's motion for judgment is hereby **GRANTED**, the Commissioner's decision **REVERSED**, and the matter **REMANDED** for an award of benefits based upon a disability date of August 20, 2000.

It is so **ORDERED**.

This is a final judgment for purposes of Fed. R. Civ. P. 58.



Thomas A. Wiseman, Jr.
Senior U.S. District Judge